

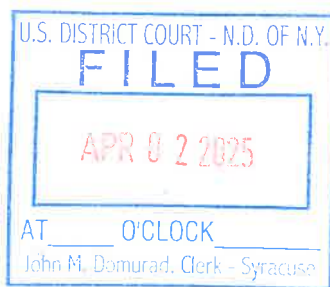
PLAINTIFF(S),

HARVEY J. GUNTER

-V-

NEW YORK STATE GOVERNOR'S OFFICE,  
NEW YORK STATE ATTORNEY GENERAL OFFICE,  
NEW YORK STATE DEPARTMENT OF CORRECTION  
AND COMMUNITY SUPERVISION CORRECTION  
OFFICER'S.

DEFENDANT(S)



9:25-w-412

COMPLAINT  
(PRO-SE PRISONER)

CASE NO. \_\_\_\_\_  
(ASSIGNED BY CLERK'S  
OFFICE UPON FILING)

JURY DEMAND

☒ YES

☐ NO



# I. LEGAL BASIS FOR COMPLAINT

THIS IS A CIVIL ACTION SEEKING RELIEF AND/OR OTHER  
DAMAGES TO DEFEND AND PROTECT THE RIGHTS GUARANTEED BY  
THE CONSTITUTION AND THE LAWS OF THE UNITED STATES.  
INDICATE BELOW THE FEDERAL BASIS FOR YOUR CLAIMS.

☒ 42 U.S.C. § 1983 (STATE, COUNTY, OR MUNICIPAL DEFENDANTS)

# II. PLAINTIFF(S) INFORMATION

NAME: HARVEY J. GUNTER

PRISONER ID #: 24B4432

PLACE OF DETENTION: WENDE CORRECTIONAL FACILITY

ADDRESS: WENDE ROAD, P.O. BOX 1187

ALDEN, NEW YORK 14004-1187

INDICATE YOUR CONFINEMENT STATUS WHEN THE WRONG  
DOING OCCURRED;

☒ CONVICTED AND SENTENCED STATE PRISONER

PROVIDE ANY OTHER NAMES BY WHICH YOU ARE OR HAVE BEEN  
KNOWN AND ANY OTHER IDENTIFICATION NUMBERS ASSOCIATED  
WITH PRIOR PERIODS OF INCARCERATION;

99B0001  
18A1208

IF THERE ARE ADDITIONAL PLAINTIFFS, EACH PERSON MUST  
PROVIDE ALL OF THE INFORMATION REQUESTED IN THIS  
SECTION AND MUST SIGN THE COMPLAINT, ADDITIONAL  
SHEETS OF PAPER MAY BE USED AND ATTACHED TO THIS  
COMPLAINT.

### III. DEFENDANT(S) INFORMATION

DEFENDANT NO. 1: HOCHUL, KATHY  
NAME: LAST. FIRST

JOB TITLE: GOVERNOR

WORK ADDRESS: EXECUTIVE CHAMBER, STATE CAPITOL  
ALBANY, NEW YORK 12224

DEFENDANT NO. 2: JAMES, LATISHA  
LAST. FIRST

JOB TITLE: NEW YORK STATE ATTORNEY GENERAL

WORK ADDRESS: THE CAPITOL

ALBANY, NEW YORK 12224

DEFENDANT(S) NO: 3

NEW YORK STATE DEPARTMENT OF CORRECTION  
AND COMMUNITY SUPERVISION (CORRECTION  
OFFICER'S)

WORK ADDRESS: WENDE CORRECTIONAL FACILITY  
WENDE ROAD, P.O. BOX 1187  
ALDEN, NEW YORK 14004-1187

JOB TITLE'S: CORRECTION OFFICER'S

IF THERE ARE ADDITIONAL DEFENDANT(S), THE INFORMATION  
REQUESTED IN THIS SECTION MUST BE PROVIDED FOR EACH  
PERSON; ADDITIONAL SHEETS OF PAPER MAY BE USED AND  
ATTACHED TO THIS COMPLAINT.

#### IV. STATEMENT OF FACTS

STATE BRIEFLY AND CONCISELY THE FACTS SUPPORTING YOUR  
CLAIMS. DESCRIBE THE EVENTS IN THE ORDER THEY HAPPENED.  
YOUR STATEMENT OF FACTS SHOULD INCLUDE THE FOLLOWING:

- THE DATE(S) ON WHICH THE EVENTS OCCURRED
- WHERE THESE EVENTS TOOK PLACE (IDENTIFY THE FACILITY  
AND, IF RELEVANT, THE SPECIFIC LOCATION IN THE FACILITY)
- HOW EACH DEFENDANT WAS INVOLVED IN THE CONDUCT  
YOU ARE COMPLAINING ABOUT.



IF YOU WERE PHYSICALLY INJURED BY THE ALLEGED MIS-CONDUCT, DESCRIBE THE NATURE OF YOUR INJURIES AND THE MEDICAL EVALUATION AND TREATMENT YOU WERE PROVIDED. YOU NEED NOT CITE TO CASE LAW OR STATUTES OR PROVIDE LEGAL ARGUMENT IN THE STATEMENT OF FACTS. USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.

MY INJURIES ARE CONSISTANCE WITH MENTAL ABUSE, PSYCHOLOGIC ABUSE, EMOTIONAL ABUSE, STRESSFUL ABUSE AND ANXIETY ABUSE. I AM NOW BEING SEEN BY THE FACILITY MENTAL HEALTH PROFESSIONAL ON A REGULAR BASIS AND HAVE ALSO BEEN PRESCRIBED MENTAL HEALTH MEDICATIONS TO HELP GET MY CONDITION BACK UNDER CONTROL.

#### V. STATEMENT OF CLAIM(S)

STATE BRIEFLY AND CONCISELY THE CONSTITUTIONAL AND/OR STATUTORY BASIS FOR EACH CLAIM YOU SEEK TO ASSERT AND IDENTIFY THE DEFENDANT(S) AGAINST WHOM EACH CLAIM IS ASSERTED. COMMONLY ASSERTED CLAIMS INCLUDE: EXCESSIVE FORCE; FAILURE TO PROTECT; DELIBERATE INDIFFERENCE; UNCONSTITUTIONAL CONDITIONS OF CONFINEMENT; DENIAL OF DUE PROCESS IN A DISCIPLINARY OR OTHER PROCEEDING; DENIAL OF EQUAL PROTECTION; RETALIATION FOR THE EXERCISE OF A FIRST AMENDMENT RIGHT; AND INTERFERENCE WITH FREE EXERCISE OF RELIGION. LEGAL ARGUMENT AND CASE CITATIONS ARE NOT REQUIRED. USE ADDITIONAL SHEETS OF PAPER IF NECESSARY.



## FIRST CLAIM

MY FIRST CONSTITUTIONAL AMENDMENT HAS BEEN VIOLATED AS TO ME NOT BEING ABLE TO FREE EXERCISE OF MY RELIGION (ISLAM) WHEN THE NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION CORRECTION OFFICER'S TOOK IT UPON THEMSELVES TO GO ON AN "UNAUTHORIZED/AND UNSANCTION STRIKE" WHEREBY CAUSING MYSELF AND MANY OTHER RELIGIOUS DOMANATIONS TO BE BARRED FROM THE PRACTICE OF THEIR CHOSEN RELIGION.

## SECOND CLAIM

WHEN THE NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION CORRECTION OFFICER'S CHOOSE TO PAR-TAKE IN AN ILLEGAL/UNSANCTION STRIKE, THEY VIOLATED MY EIGHT CONSTITUTIONAL AMENDMENT RIGHT WHEN THEY SUBJECTED MYSELF AND MANY OTHER PRISONER'S WITHIN THE N.Y.S.D.O.C.C.S. TO "CRUEL AND UNUSUAL PUNISHMENT AS WELL AS DELIBERATE INDIFFERENCE. THEY ARE ALSO IN VIOLATION OF MY EIGHT CONSTITUTIONAL AMENDMENT RIGHT FOR THEIR FAILURE TO PROTECT MY CONSTITUTIONAL AMENDMENT RIGHTS WHERE BEING DENIED TO FREE EXERCISE OF MY RELIGIOUS CHOICE.



THIRD CLAIM

DUE TO THE NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION "CORRECTION OFFICER'S" PAR-TAKING IN AN "ILLEGAL / UNSANCTION" STRIKE, THEY HAVE CAUSED MY MENTAL HEALTH "CONDITIONS" TO REIN OUT OF CONTROL (I.E. MENTAL, PSYCHOLOGIC, EMOTIONAL, STRESS, AND ANXIETY ABUSE) NOW HAVING TO BE PLACED ON MEDICATIONS NOT KNOWING IF I WILL EVER GET BACK TO A NORMAL STATE OF MINE.

VI. RELIEF REQUESTED

STATE BRIEFLY WHAT RELIEF YOU ARE SEEKING IN THIS CASE,

FOR THE VIOLATION'S OF MY CONSTITUTIONAL RIGHTS, I AM SEEKING \$1,000,000 DOLLARS IN PUNITIVE AND OR MONOTARY DAMAGES, ALSO A GARENTEE FROM THE STATE OF NEW YORK THAT IN THE EVENT THAT THE NEW YORK STATE DEPARTMENT OF CORRECTION AND COMMUNITY SUPERVISION "CORRECTION OFFICER'S" WERE TO TAKE IT UPON THEMSELVES TO PAR-TAKE IN ANOTHER ILLEGAL / UNSANCTION OR OTHERWISE STRIKE, THAT NEW YORK STATE WILL HAVE IN PLACE A REMEDY THAT WILL NOT CAUSE PRISONER'S TO BE

IN VIOLATION OF ANY OF THEIR CONSTITUTIONAL  
AMENDMENT RIGHTS.

I DECLARE UNDER PENALTY OF PERJURY THAT THE  
FOREGOING IS TRUE AND CORRECT.

DATED: MARCH 21, 2025

Harvey D. Hunter

PLAINTIFF'S SIGNATURE

(ALL PLAINTIFF'S MUST SIGN THE  
COMPLAINT).